

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PENNSYLVANIA GEAR CORPORATION,)	
Plaintiff)	
)	
v.)	No.
)	
ACSA STEEL FORGINGS, S.p.A.,)	
Defendant)	

NOTICE OF REMOVAL

AND NOW, the Defendant, ACSA Steel Forgings, S.p.A., by and through its attorneys, ELDERKIN, MARTIN, KELLY & MESSINA, files the following Notice of Removal, respectfully submitting as follows:

1. On or about June 10, 2002, counsel for the Defendant received via fax a copy of the complaint filed by the Plaintiff in the Court of Common Pleas of Bucks County, Pennsylvania, case no. 0203780-27-2. A copy of the complaint is attached hereto and is incorporated herein as Exhibit 1.

2. As stated in the complaint, the Plaintiff is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with a business address of One Cabot Boulevard, Langhorne, Pennsylvania, 19047.

3. As stated in the complaint, the Defendant is a business entity organized and existing under the laws of the Country of Italy, with its offices and principal place of business located at Via per Solbiate Arno, 43, 21040 Oggiona S. Stefano (VA) Italy.

4. As stated in the complaint, the amount in controversy is in excess of \$75,000.00, exclusive of interest and costs.

5. This Honorable Court has original jurisdiction over this matter pursuant to 28 U.S.C. §1332 and, therefore, this action may be and is hereby removed pursuant to 28 U.S.C. §1441.

6. Defendant represents that upon filing of this Notice of Removal, written notice will be provided to the Plaintiff and will be filed with the Court of Common Pleas of Bucks County, Pennsylvania.

WHEREFORE, for the reasons stated above, this action is properly removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

ELDERKIN, MARTIN, KELLY & MESSINA

By _____
Craig A. Markham, Esquire
Attorney for Defendant
150 East Eighth Street
Erie, Pennsylvania 16501
(814) 456-4000

CERTIFICATE OF SERVICE

I certify that on the _____ day of June, 2002, I served a copy of the Notice of Removal on the following individuals and in the manner indicated below:

U.S. First Class Mail, Postage Prepaid:

John G. Richards, II, Esquire
350 Sentry Parkway, Building 640
Blue Bell, Pennsylvania 19422

Attorney for Plaintiff

Respectfully submitted,

ELDERKIN, MARTIN, KELLY & MESSINA

By _____
Craig A. Markham, Esquire
Attorney for Defendant
150 East Eighth Street
Erie, Pennsylvania 16501
(814) 456-4000